

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
vs.  
RENE RIOS-GARCIA,

CASE NO. 15CR2872-LAB

## ORDER DENYING MOTION FOR REDUCTION OF SENTENCE UNDER 18 U.S.C. § 3582(c)(2)

Defendant.

This Court sentenced Rene Rios-Garcia to 68 months in prison in 2016 after he pled guilty to possessing over 28 kilograms of pure methamphetamine with intent to distribute it. He's now filed a motion under 18 U.S.C. § 3582(c)(2) asking the Court to reduce his sentence because the advisory sentencing ranges for some drug crimes under the United States Sentencing Guidelines ("Guidelines") were lowered after he was sentenced.

The retroactive changes to the Guidelines don't affect Mr. Rios-Garcia's sentence. He is ineligible for a sentence reduction under §3582(c)(2) because his offense involved more than 4.5 kilograms of actual methamphetamine. See USSG § 2D1.1(c)(1)(2014).

The Motion is **DENIED**.

## IT IS SO ORDERED.

DATED: August 7, 2018

Larry A. Bunn

**HONORABLE LARRY ALAN BURNS**  
United States District Judge